

Practitioner's Docket No. 116719.00011

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

22386 U.S. PTO
10/659445
09/10/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Victor Bota

For (title): APPARATUS AND METHOD FOR AUTOMATED PRODUCTION OF
ADJUSTABLE DUCT MEMBER

1. Type of Application

This application is for an original (nonprovisional).

2. Papers Enclosed

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design)
Application

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date September 10, 2003, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV218240347US.

Robert J. Clark

Type or print name of person mailing paper

Date: September 10, 2003

Robert J. Clark
Signature of person certifying

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

10 Page(s) of Specification
 4 Page(s) of Claims
 5 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

2 Page(s) of declaration and power of attorney
 1 Page(s) of abstract

3. Declaration or Oath

Enclosed

Executed by:

* inventor.

4. Inventorship Statement

The inventorship for all the claims in this application is the same.

5. Language

English

6. Assignment

An assignment of the invention to Cleveland Tool & Machine, Inc. is attached. A separate FORM PTO 1595 is also attached.

7. Fee Calculation (37 C.F.R. § 1.16)

Regular Application

CLAIMS AS FILED												
Basic Fee 37 C.F.R. § 1.16(a) \$750.00												
Number Filed			Number Extra			Rate						
Total Claims (37 C.F.R § 1.16(c))			18	–	20	=	0	x	\$	18.00	= \$	0.00
Independent Claims (37 C.F.R § 1.16(b))			3	–	3	=	0	x	\$	84.00	= \$	0.00
Multiple Dependent Claim(s), if any (37 C.F.R § 1.16(d))									\$	280.00	\$	0.00
Filing Fee Calculation											\$750.00	

8. Assertion of Small Entity Status

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.
Status as a small entity was asserted in the prior application 60/492,931 filed on August 6, 2003 from which benefit is being claimed for this application under 35 U.S.C. § 119(e) and which status as a small entity is still proper and asserted for this application.

Filing Fee Calculation (50% of above Filing Fee Calculation)	<u>\$375.00</u>
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9. Fee Payment Being Made at This Time

Enclosed

Filing Fee	\$375.00
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Recording assignment (\$40; 37 C.F.R. §1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".)	\$40.00
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Total Fees Enclosed	\$415.00
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10. Method of Payment of Fees

Attached is a check in the amount of \$415.00.

Charge any additional fees required by this paper or credit any overpayment to Account No. 15-0450.

A duplicate of this paper is attached.

11. Instructions as to Overpayment

Credit Account No. 15-0450.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.
APPLICATION CLAIMED
(37 C.F.R. § 1.78)**

12. Relate Back

Amend the specification by inserting, before the first line following the title, the following sentence:

A. 35 U.S.C. § 119(e)

"This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/492,931

08/06/2003"

Language of prior filed provisional application

The above identified prior filed provisional application, namely application 60/492,931, filed 08/06/2003, whose benefit is being claimed was filed in the English language.

13. Small Entity (37 C.F.R. § 1.28(a))

Applicant has established small entity status by the filing of a statement in parent application 60/492,931 on August 6, 2003.

Date: September 10, 2003

Reg. No.: 45,835
Tel. No.: 330-864-5550
Customer No.: 021324



Signature of Practitioner

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